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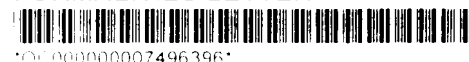
APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/991,603	11/23/2001	Brett P. Giroir	29715/35152R

CONFIRMATION NO. 2243

04743

 MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN
 6300 SEARS TOWER
 233 SOUTH WACKER DRIVE
 CHICAGO, IL 60606-6402

FORMALITIES LETTER



000000007496396

Date Mailed 02/19/2002

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

Docketed: 4-19-02

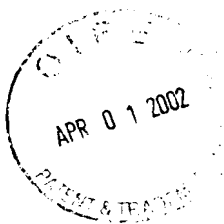
An application number and filing date have been accorded to this reissue application. The item(s) indicated below however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63 identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

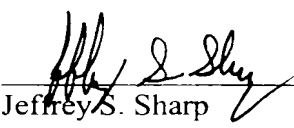
PART 2 - COPY TO BE RETURNED WITH RESPONSE



RECEIVED
MAR 11 2002
U.S. PATENT & TRADEMARK OFFICE

PATENT APPLICATION
29715/35152R

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)	I hereby certify that this paper is being
Giroir et al.	)	deposited with the United States Postal
	)	Service as first class mail, postage prepaid, in
U.S. Patent No. 5,990,086	)	an envelope addressed to: Commissioner of
	)	Patents and Trademarks, Box Missing Parts,
Issued Date: November 23, 1999	)	Washington, D.C. 20231, on this date:
)	
Serial No. 09/991,603	)	March 11, 2002
)	
Filed: November 23, 2001)	
)	
For: Therapeutic Uses of BPI Protein)	
Products for Human Meningococcemia	)	Jeffrey S. Sharp
	)	Reg. No. 31,879
Group Art Unit: 1654	)	Attorney for Applicant

Examiner: To be determined

RESPONSE TO NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Box Missing Parts
Commissioner for Patents
and Trademarks
Washington, D.C. 20231

Sir:

On February 19, 2002, the Patent Office issued a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (copy enclosed) in the above-identified application, requiring submission of the inventors' declaration and a late filing fee surcharge of \$130.00. This response is due on April 19, 2002 and therefore is timely filed on this date of March 11, 2002.

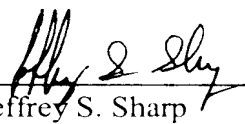
Accordingly, Applicant respectfully submits an executed declaration and a check in the amount of \$130.00. Also submitted is the Consent of Assignee to Reissue Application and Certificate Under 37 C.F.R. §3.73(b).

If additional fees are required, Applicant authorizes the Patent Office to charge deposit account no. 13-2855. A copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300

By:



Jeffrey S. Sharp
Reg. No: 31,879

March 11, 2002

APR 01 2002

PATENT APPLICATION
ATTORNEY DOCKET 29715/35152R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: Giroir et al.	)	I hereby certify that this paper and the
	)	documents identified herein are being
U.S. Patent No. 5,990,086	)	deposited with the United States Postal
	)	Service on _____, in an
Issued Date: November 23, 1999	)	envelope addressed to the Assistant
	)	Commissioner of Patents, Washington,
For: Therapeutic Uses of BPI Protein	)	D.C. 20231 utilizing the "Express Mail
Products for Human Meningococemia	)	Post Office to Addressee" service of the
	)	United States Postal Service under
Filed: Herewith	)	Mailing Label No. _____
)	
Probable Group Art Unit: 1646)	_____
)	
Probable Examiner: A. Mohamed)	

CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Box REISSUE
Commissioner for Patents
Washington, D.C. 20231

Sir:

The Board of Regents, The University of Texas System, having its principal place of business at 201 West 7th Street, Austin, Texas, 78701, certifies that it is the assignee of an undivided interest in and to U.S. Application Serial No. 09/203,159, filed December 1, 1998, which issued on November 23, 1999 as U.S. Patent No. 5,990,086, in the names of inventors Brett P. Giroir and Patrick J. Scannon, for Therapeutic Uses of BPI Protein Products for Human Meningococemia.

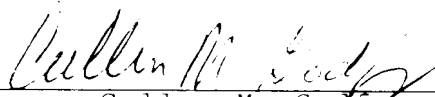
The chain of title from the inventor Brett P. Giroir to the Board of Regents, The University of Texas System is evidenced by an assignment recorded on February 12, 1999, at Reel 9767, Frame 0521. In light of this evidence of ownership of an undivided interest in the above-identified application and the underlying invention by the Board of Regents, The University of Texas System, it is submitted that the Board of Regents, The University of Texas System is an assignee required to consent to the filing of the reissue application submitted herewith and does hereby consent as set forth in the accompanying Consent of Assignee to

Reissue.

The undersigned represents that it is authorized to act on behalf of the Board of Regents, The University of Texas System.

Respectfully submitted,

By:


Name Cullen M. Godfrey

Vice Chancellor and General Counsel
Title

November 28, 2001